

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

OFFICIAL COMMITTEE OF
ADMINISTRATIVE CLAIMANTS, on
Behalf of LTV Steel Company, Inc.,

Plaintiff,

v.

WILLIAM H. BRICKER, *et al.*,

Defendants.

CASE NO.: 1:05 CV 2158

JUDGE DONALD C. NUGENT

MEMORANDUM OPINION
AND ORDER

This matter is before the Court on the Motion to Intervene by VP Buildings, Inc. Distribution Trust as Representative of Certain Unsecured Creditors of LTV Steel Corporation, Inc. (ECF #246). Plaintiff and Defendants have filed Memoranda in Opposition to the Motion to Intervene, as has LTV Steel. The proposed Intervener has filed a Reply Brief in support. After careful consideration of the filings, it is apparent that VP Buildings cannot satisfy the requirements necessary for intervention under Rule 24(a) or (b). Most importantly, it is clear that VP's motion to intervene is untimely, filed more than six years after this action was filed in this Court and at a time when summary judgment motions have been filed and trial has been scheduled to begin in two months. Both Plaintiff and Defendants would be substantially prejudiced by the delay and expense that would be caused by permitting intervention at this time. Accordingly, the Motion to Intervene by VP Buildings, Inc. Distribution Trust (ECF #246) is DENIED. IT IS SO ORDERED.


DONALD C. NUGENT
UNITED STATES DISTRICT JUDGE

DATED: September 13, 2011